

# EXHIBIT P

**From:** Helen Chaitman  
**Sent:** Wednesday, June 01, 2016 9:28 AM  
**To:** Brown, Seanna R.; Shields, Nkosi D.; Jennifer Allim  
**Cc:** Sheehan, David J.; Vanderwal, Amy E.; Fein, Amanda E.  
**Subject:** RE: Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015

I do not believe the order extending fact discovery gives you the right to re-depose Mr. Blecker. I think Judge Bernstein was very clear that the extension was intended only to give the Trustee the opportunity to depose former Madoff employees. Thus, if you feel you want to re-depose Mr. Blecker you will have to seek a modification of the order Judge Bernstein entered.

Helen Davis Chaitman  
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**From:** Brown, Seanna R. [<mailto:sbrown@bakerlaw.com>]  
**Sent:** Tuesday, May 31, 2016 3:37 PM  
**To:** Helen Chaitman <[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)>; Shields, Nkosi D. <[nshields@bakerlaw.com](mailto:nshields@bakerlaw.com)>; Jennifer Allim <[jallim@chaitmanllp.com](mailto:jallim@chaitmanllp.com)>  
**Cc:** Sheehan, David J. <[dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)>; Vanderwal, Amy E. <[avanderwal@bakerlaw.com](mailto:avanderwal@bakerlaw.com)>; Fein, Amanda E. <[afein@bakerlaw.com](mailto:afein@bakerlaw.com)>  
**Subject:** RE: Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015

Helen,

Mr. Blecker is a party to the profit withdrawal litigation and no motion practice is required to notice his deposition, which notice was properly served under the Federal Rules of Civil Procedure. Please confirm in writing that you will not produce Mr. Blecker on June 13, the date of the deposition notice, and we will seek the appropriate relief in the Bankruptcy Court to compel his appearance.

As we stated before, we are mindful of Mr. Blecker's advanced age and are not trying to cause Mr. Blecker undue stress. However, to the extent you intend to call him as a witness at the evidentiary hearing subject to direct and cross examination—an event that would seem to be as equally stressful as any deposition—we are entitled to take his deposition. If you will stipulate in writing that Mr. Blecker will not be called as a witness at the evidentiary hearing, we will withdraw our deposition notice.

Please advise as to how you would like to proceed.

Regards,  
Seanna

**From:** Helen Chaitman [<mailto:hchaitman@chaitmanllp.com>]  
**Sent:** Tuesday, May 31, 2016 6:45 AM  
**To:** Brown, Seanna R.; Shields, Nkosi D.; Jennifer Allim  
**Cc:** Sheehan, David J.; Vanderwal, Amy E.; Fein, Amanda E.  
**Subject:** RE: Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015

Seanna: In view of the fact that Mr. Blecker has already been deposed and the Trustee had every opportunity to ask him any questions he wanted to ask, you should make a motion seeking an order for him to be deposed again, bearing in mind that he is now 104 years old and there is a risk that the stress of another deposition could cause his death.

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**From:** Brown, Seanna R. [<mailto:sbrown@bakerlaw.com>]  
**Sent:** Friday, May 27, 2016 5:06 PM  
**To:** Helen Chaitman <[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)>; Shields, Nkosi D. <[nshields@bakerlaw.com](mailto:nshields@bakerlaw.com)>; Jennifer Allim <[jallim@chaitmanllp.com](mailto:jallim@chaitmanllp.com)>  
**Cc:** Sheehan, David J. <[dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)>; Vanderwal, Amy E. <[avanderwal@bakerlaw.com](mailto:avanderwal@bakerlaw.com)>; Fein, Amanda E. <[afein@bakerlaw.com](mailto:afein@bakerlaw.com)>  
**Subject:** RE: Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015

Helen,

We will not respond to your unprofessional and unwarranted personal attacks on the Trustee or his counsel.

We are mindful of Mr. Blecker's advanced age and are not seeking to cause him undue stress. As a party to the litigation, however, the Federal Rules provide for his deposition. The prior deposition of Mr. Blecker was taken by you, not by the Trustee, and we specifically reserved our rights at that deposition to depose him in the future. Particularly since Mr. Blecker will have to testify at any evidentiary hearing on the profit withdrawal issue, and will thus be subject to both direct and cross examination at the hearing, his deposition is both necessary and appropriate.

Please let us know your position as to whether Mr. Blecker will appear for his deposition on June 13.

Regards,  
Seanna

**From:** Helen Chaitman [<mailto:hchaitman@chaitmanllp.com>]  
**Sent:** Friday, May 27, 2016 1:39 PM

**To:** Shields, Nkosi D.; Jennifer Allim

**Cc:** Sheehan, David J.; Brown, Seanna R.; Vanderwal, Amy E.

**Subject:** RE: Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015

We will not expose Aaron Blecker to a second deposition by the Trustee. You had ample opportunity to question him when he was deposed a few years ago. He is now 104 years old and I will not expose him to the stress of another deposition at this point in his life. Isn't there anyone in your firm that has any sensitivity to what you are doing to innocent, honest people like Aaron Blecker? You ought to be ashamed of yourselves.

Helen Davis Chaitman  
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**From:** Shields, Nkosi D. [<mailto:nshields@bakerlaw.com>]

**Sent:** Friday, May 27, 2016 1:39 PM

**To:** Helen Chaitman <[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)>; Jennifer Allim <[jallim@chaitmanllp.com](mailto:jallim@chaitmanllp.com)>

**Cc:** Sheehan, David J. <[dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)>; Brown, Seanna R. <[sbrown@bakerlaw.com](mailto:sbrown@bakerlaw.com)>;

Vanderwal, Amy E. <[avanderwal@bakerlaw.com](mailto:avanderwal@bakerlaw.com)>

**Subject:** Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015

Ms. Chaitman,

Attached is the Trustee's Second Set of Requests For Production Of Documents To Claimant Aaron Blecker pursuant to the Order Establishing a Schedule for Limited Discovery and Briefing on the Profit Withdrawal Issue, dated June 24, 2015 (the "Profit Withdrawal Scheduling Order"), ECF. 10266, as amended and superseded by the Order Amending Schedule of Profit Withdrawal Litigation, dated April 5, 2016, ECF No. 13038.

The second attachment is a Notice Of Deposition Of Aaron Blecker.

Thank you.

**Nkosi Shields**

**BakerHostetler**  
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